

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Theresa Kennedy, Santiago Bravo, and John  
Plummer, individually and for others  
similarly situated,

*Plaintiffs,*

*v.*

City of Chicago,

*Defendant.*

Case No. 20-cv-1440

Hon. Thomas M. Durkin

**CITY OF CHICAGO’S REPLY IN SUPPORT OF MOTION TO STAY  
DISCOVERY AND CLASS CERTIFICATION PROCEEDINGS**

Defendant, the City of Chicago (“City”), by its undersigned counsel, respectfully submits its Reply in Support of the Motion to Stay Discovery and Class Certification Proceedings (“Stay Motion”). (Dkt. 169.) In support thereof, the City states:

1. As stated in their Response to Defendant’s Motion to Stay, Plaintiffs “do not oppose the requested stay, with a carve out for compliance with a subpoena duces tecum” previously issued to the Office of the Chief Judge of the Circuit Court of Cook County. (Dkt. 174, Resp. at 1.)
2. The City does not oppose Plaintiffs’ requested carve out for their third-party subpoena.
3. All other discovery and class-certification related proceedings should be stayed pending resolution of the City’s Motion for Judgment on the Pleadings Pursuant to Federal Rule of Civil Procedure 12(c). (Dkt. 168, Mot.)

For these reasons and those in the Stay Motion, the City respectfully requests that the Court stay discovery, with the exception of Plaintiffs’ third-party subpoena to the Office of the Chief

Judge of the Circuit Court of Cook County, and all other proceedings pertaining to whether this case should proceed as a class action, rule upon the City's motion for judgment on the pleadings pursuant to Federal Rule of Civil Procedure 12(c) based on the Seventh Circuit's ruling in *Alcorn*, and grant such other and further relief as the Court deems necessary and just.

Dated: January 3, 2024

Respectfully submitted,

**CITY OF CHICAGO**

*/s/ Elizabeth E. Babbitt*

**Special Assistant Corporation Counsel**

Allan T. Slagel [aslagel@taftlaw.com](mailto:aslagel@taftlaw.com)

Elizabeth E. Babbitt [ebabbitt@taftlaw.com](mailto:ebabbitt@taftlaw.com)

Adam W. Decker [adecker@taftlaw.com](mailto:adecker@taftlaw.com)

Elizabeth A. Winkowski [ewinkowski@taftlaw.com](mailto:ewinkowski@taftlaw.com)

TAFT STETTINIUS & HOLLISTER LLP

111 E. Wacker Drive, Suite 2600

Chicago, Illinois 60601

(312) 527-4000

**Assistant Corporation Counsel**

Raoul Mowatt [raoul.mowatt@cityofchicago.org](mailto:raoul.mowatt@cityofchicago.org)

CITY OF CHICAGO DEPARTMENT OF LAW

2 N. LaSalle Street, Suite 420

Chicago, Illinois 60602

(312) 744-3283